

1 5. At the time of Patient's admission Respondent was aware that Patient was
2 one month out of a recovery program for heroin addiction.

3 6. Patient's post-operative course was uneventful and she was discharged on
4 June 30, 1993.

5 7. Respondent prescribed Percocet for pain and Doxycycline 100mg for 7
6 days.

7 8. On July 7, 1993, Respondent issued prescriptions for Darvocet N-100 #30
8 and Doxycycline 100mg #8.

9 9. On November 9, 1993, Respondent issued prescriptions to Patient for
10 Percocet #30 and Phenergan 25 mg #40.

11 10. On or about December 13, 1993, Respondent hospitalized Patient for
12 complaints of increasing lower abdominal pain for the prior week. The pain was noted to
13 be sharp and unrelenting.

14 11. On December 16, 1993, Patient was discharged. Discharge medications
15 included Percodan 1-2 every four hours for pain; Lo/Ovral every day for birth control; and
16 Phenergan 25 milligrams for nausea.

17 12. On January 3, 1994, Respondent issued prescriptions to Patient for
18 Percocet #40; Phenergan 25 milligrams #40; Doxycycline 100 milligrams #21; and
19 Monistat vaginal suppositories. On January 18, 1994, Respondent issued prescriptions
20 to Patient for Lortab 7.5 milligrams #30 and Lupron 7.5 milligrams.

21 13. On February 14, 1994, Respondent issued prescriptions to Patient for
22 Percocet #40; Phenergan 25 milligrams #40; and Buspar 5 milligrams #40. On February
23 18, 1994, Respondent issued prescriptions to Patient for Buspar 5 milligrams #40 .

24 14. On February 24, 1994, Patient presented at the emergency room
25 complaining of left lower abdominal pain. A Physician Assistant evaluated Patient and

1 ordered an injection of Demerol 25 milligrams with Phenergan 50 milligrams.
2 Respondent examined Patient in the emergency room and issued prescriptions for
3 Doxycycline and Bentyl. Patient was discharged with instructions to continue the
4 Percocet and told to follow-up with Respondent.

5 15. On March 16, 1994, Respondent performed an exploratory laparotomy and
6 lysis of tubal, ovarian and peritoneal adhesions.

7 16. During the hospitalization the hospital was provided with a list of the
8 medications that were prescribed to Patient by Respondent. The list included Lupron;
9 Percocet, 1-2 tablets every 4 hours as needed; Phenergan 25 milligrams, 1-2 tablets
10 every 4 hours as needed; Valium 10 milligrams, 1 tablet every 12 hours as needed;
11 Bentyl 20 milligrams, 1 tablet q.i.d.; and Buspar 5 milligrams, 1 tablet t.i.d. Patient was
12 also receiving Soma and Lodine from another physician.

13 17. In March of 1994, Respondent admitted Patient to the hospital with a post-
14 operative wound infection. Respondent noted Patient's history of addiction to drugs and
15 medications. Respondent discharged patient with prescriptions for Augmentin 500
16 milligrams t.i.d.; Percocet 1-2 every 4 hours as needed; Phenergan 25 milligrams every 4
17 hours as needed; and iron sulfate.

18 18. On April 4, 1994, Respondent issued prescriptions to Patient for Percocet
19 #50 and Phenergan 25 milligrams #40. On April 14, 1994 Respondent referred Patient
20 for a pain management evaluation. A pain management physician treated Patient
21 through April 27, 1994.

22 19. From April 29, 1994 through June 28, 1994, Respondent continued to issue
23 prescriptions to Patient for Prozac, Percocet, Flexeril, Phenergan and Bentyl.

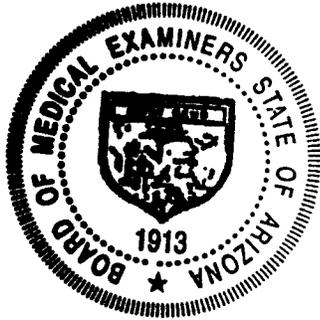
24 20. During the period of June 3, 1994 to June 28, 1994, Respondent prescribed
25 200 Percocet to Patient.

1 **RIGHT TO PETITION FOR REVIEW**

2 Respondent is hereby notified that he has the right to petition for a rehearing.
3 Pursuant to A.R.S. § 41-1092.09, as amended, the petition for rehearing must be filed
4 with the Board's Executive Director within thirty (30) days after service of this Order and
5 pursuant to A.A.C. R4-16-102, it must set forth legally sufficient reasons for granting a
6 rehearing. Service of this order is effective five (5) days after date of mailing. If a motion
7 for rehearing is not filed, the Board's Order becomes effective thirty-five (35) days after it
8 is mailed to Respondent.

9 Respondent is further notified that the filing of a motion for rehearing is required to
10 preserve any rights of appeal to the Superior Court.

11 DATED this 12th day of October, 2001.



BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

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By Claudia Foutz
CLAUDIA FOUTZ
Executive Director
TOM ADAMS
Deputy Director

ORIGINAL of the foregoing filed this
12 day of October, 2001 with:

The Arizona Board of Medical Examiners
9545 East Doubletree Ranch Road
Scottsdale, Arizona 85258

Executed copy of the foregoing
mailed by U.S. Certified Mail this
12 day of October, 2001, to:

Kent E. Turley
Turley Swan & Childers PC
3101 North Central

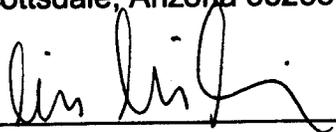
1 Suite 1300
2 Phoenix, Arizona 85012-2643 .

3 Executed copy of the foregoing mailed this
4 12 day of October, 2001, to:

5 Ronald E. Sherer, M.D.
6 5251 West Campbell
7 Suite 200
8 Phoenix, Arizona 85031-1719

9 Copy of the foregoing hand-delivered this
10 12 day of October, 2001, to:

11 Christine Cassetta
12 Assistant Attorney General
13 Sandra Waitt, Management Analyst
14 Lynda Mottram, Compliance Officer
15 Lisa Maxie-Mullins, Legal Coordinator (Investigation File)
16 Arizona Board of Medical Examiners
17 9545 East Doubletree Ranch Road
18 Scottsdale, Arizona 85258

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